

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: <u>DEC 15 2005</u>
DATE FILED: <u>DEC 15 2005</u>

UNITED STATES OF AMERICA

- v. -

YOVANNY ANTONIO PEGUERO,  
a/k/a "Anthony Miranda,"

Defendant.

: INFORMATION

: S1 05 Cr. 1085 (KMK)

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The United States Attorney charges:

1. From in or about September 2001, up to and including on or about October 27, 2005, in the Southern District of New York and elsewhere, YOVANNY ANTONIO PEGUERO, a/k/a "Anthony Miranda," the defendant, and others known and unknown, unlawfully, intentionally, and knowingly combined, conspired, confederated, and agreed together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that YOVANNY ANTONIO PEGUERO, a/k/a "Anthony Miranda," the defendant, and others known and unknown, would and did distribute and possess with intent to distribute a controlled substance, to wit, five kilograms and more of mixtures and substances containing a detectable amount of cocaine, in violation of Sections 812, 841(a)(1), and 841(b)(1)(A) of Title 21 of the United States Code.

3. It was a further part and object of the conspiracy that YOVANNY ANTONIO PEGUERO, a/k/a "Anthony Miranda," the

defendant, and others known and unknown, would and did distribute and possess with intent to distribute a controlled substance, to wit, 100 grams and more of mixtures and substances containing a detectable amount of heroin, in violation of Sections 812, 841(a)(1), and 841(b)(1)(B) of Title 21 of the United States Code.

(Title 21, United States Code, Section 846.)

**FORFEITURE ALLEGATION AS TO COUNT ONE**

4. As a result of committing the controlled substance offense alleged in this Information, defendant YOVANNY ANTONIO PEGUERO, a/k/a "Anthony Miranda," shall forfeit to the United States pursuant to 21 U.S.C. § 853, any and all property constituting or derived from any proceeds the said defendant obtained directly or indirectly as a result of the said violation and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the violation alleged in this Information, including but not limited to, United States currency representing the proceeds obtained as a result of the offense described in Count One of this Information.

5. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

a. cannot be located upon the exercise of due diligence;

- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property.

(Title 21, United States Code, Sections 846 and 853.)



MICHAEL J. GARCIA  
United States Attorney

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MICHAEL J. GARCIA  
United States Attorney.

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